

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

KENNETH TYSON,

Plaintiff,
-v-

9:17-CV-874
(DNH/DEP)

VASILE JL, LT; and T. COMPO, C.O.,

Defendants.

APPEARANCES:

KENNETH TYSON
Plaintiff, pro se
15-A-2954
Elmira Correctional Facility
P.O. Box 500
Elmira, NY 14902

BARBARA D. UNDERWOOD
Attorney General of the State of New York
Attorney for Defendants
615 Erie Boulevard West
Suite 102
Syracuse, NY 13204

DAVID N. HURD
United States District Judge

OF COUNSEL:

TIMOTHY P. MULVEY, ESQ.
Assistant Attorney General

DECISION and ORDER

Pro se plaintiff Kenneth Tyson brought this civil rights action pursuant to 42 U.S.C. § 1983. On August 6, 2018, the Honorable David E. Peebles, United States Magistrate Judge, advised by Report-Recommendation that defendants' motion for summary judgment

be granted and the complaint be dismissed. No objections to the Report-Recommendation were filed.

Based upon a careful review of the Report-Recommendation, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

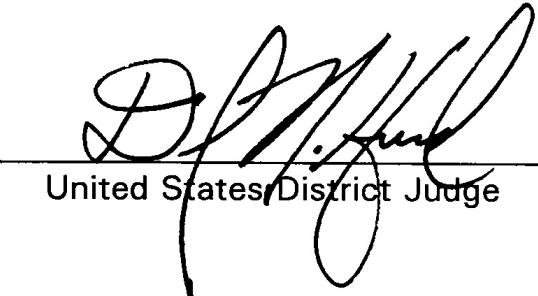
Therefore, it is

ORDERED that

1. Defendants' motion for summary judgment is GRANTED; and
2. Plaintiff's complaint is DISMISSED in its entirety.

The Clerk is directed to enter judgment accordingly and close the file.

IT IS SO ORDERED.



United States District Judge

Dated: September 11, 2018
Utica, New York.